

Declaration

#038440

James Olsen Law

james@jamesolsenlaw.com

Attorney for Defendant

Kamil Knap

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

EPA USA Inc.,

**DECLARATION OF KAMIL KNAP IN
SUPPORT OF KAMIL KNAP'S
UNDERLYING MOTION**

Plaintiff(s),

Case No. CV-24-00749-PHX-GMS

v.

Judge G. Murray Snow

Kamil Knap,

Defendant(s).

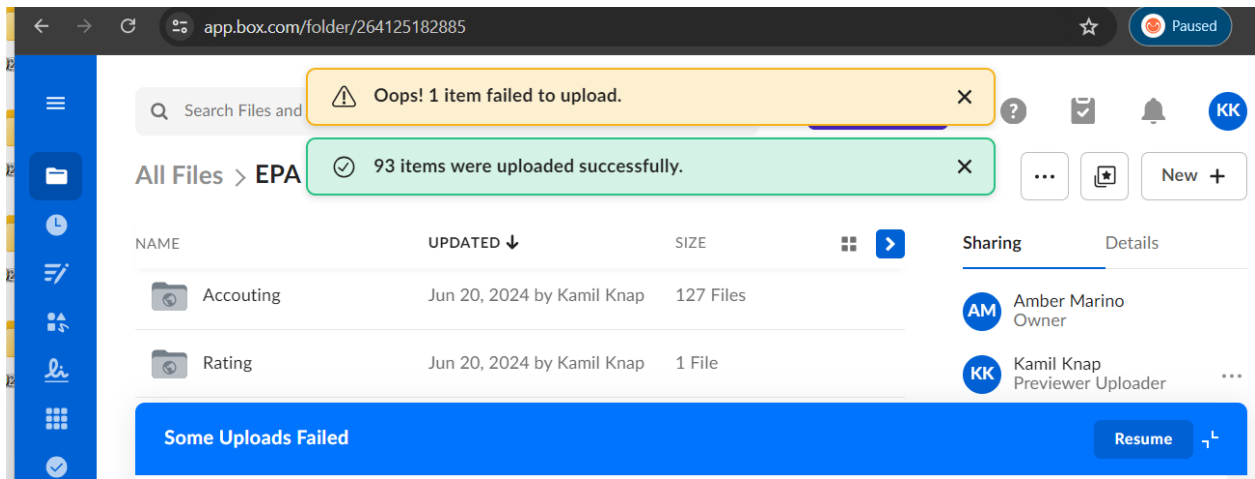
DECLARATION OF KAMIL KNAP

I, Kamil Knap, being duly sworn, hereby depose and say:

1. To my knowledge, all of the facts stated in this Declaration are true and correct.
2. I am over 18 years of age. I reside at 3101 N. Central Ave. #612

3. Phoenix, AZ 85012. I am fully competent to make this Declaration and I have personal knowledge of the facts stated in this Declaration. I am the Defendant in this action.
4. This Declaration is submitted in support of Kamil Knap's Response to plaintiff's motion for sanctions and a civil contempt order.
5. I had repeated difficulty uploading the files on the provided solution, as it froze with multiple files or was faulted once I tried to upload or it froze.

Figure 1: Proof of multiple attempts to upload

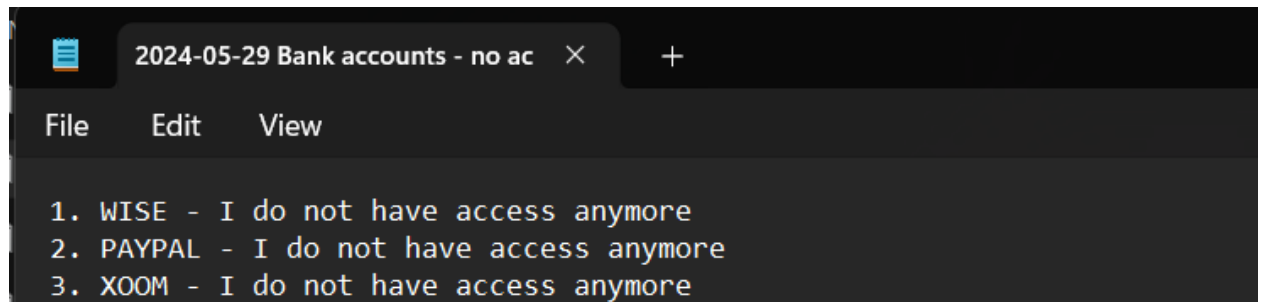


6. I am seeking to not be held in civil contempt for substantial violation. I am willing to work in coordination with my attorney, the order, and my position as a claimed 33.4% shareholder of EL PALO ALTO Pte. Ltd., a 100% shareholder of EPA USA Inc. I am interested in increasing the value of EPA USA Inc., holding the company risk-free, and allowing it to grow.
7. Following the uploaded file on May 29th I would like to declare that the plaintiff did not provide me access to upload files within 24 hours as requested by the court. The provided link worked, but there was no password or login details. I asked for the password and login details through my attorney, and they were provided the following day, May 30th. I uploaded the first list of available information, as I have been interested in paying employees since this began. Without employees, EPA USA Inc. is not valuable, as they were trained and know how to communicate with customers, clients, borrowers, and such. Please understand that I have built the company with the sole intention of being compliant, paying salaries to employees, and mainly growing the value to its stakeholders.
8. Page 2, Row 8, Exhibit 1 -> Declaration by Mr. Benko.
 - (a) I did not attend the visit Mr. Benko made to the office, nor did my attorneys. I had no chance to witness what Mr. Benko witnessed, and I do not know how deep Mr. Benko's knowledge of how the office operated. Following my understanding, Mr. Benko did

visit the office of EPA USA Inc. for the first time in his life, and I have never trained him or any of his associates on how to recover any passwords. As the office handles the personal information of US citizens, we have had to implement specific protective measures so any 3rd party walking inside the office (cleaning crew, burglar, employee does not have complete and unlimited access to the data). What is shown in the screenshot of page 5 on the top is an example of such a protective measure. Also shown is a personal Google sheet of an employee managing her portfolio. She had full access with her password. Mr. Benko also confirmed that access to the folder had been granted after the order period. Mr Benko also confirms on page 7 that he has redacted the provided information. This is why I believe his statement is not accurate.

- (b) EPA'S ACCOUNTS. Mr. Benko's statement is not accurate. He claims he has access to the accounts of MERCURY Bank only. I have a confirmation from SILICON VALLEY BANK that those accounts have also been frozen. The accounts held with WISE had been restricted to me, but I have shared the list of contractors with PLAINTIFF. In Figure 1, I am sharing the declaration I shared with the PLAINTIFF. I can not confirm what caused me not to have access.

Figure 2: Confirmation to PLAINTIFF that I have no access anymore on May 29th, 2024



- (c) The support team has controlled the services of Click2Mail. I am not sure if Mr. Benko did contact the support team. Merche-Solutions was used by EPA USA Inc. – IT team represented by Mr. Jan Strelka and others directly in contact with Mr. Benko. They have access, and I will share it again if necessary. Transunion – access with support team. Surety Bonds – access with compliance team – I have none. Intuit -> is accounting software the accounting team had access to, and so on. Up to now, I am not sure how those people have been paid and if they are willing to cooperate. My access to QUICKBOOKS had been restricted, I am not sure, because of non-payment of the bills due to accounts being frozen. My memory is that accounts held with MERCURY were used for that. The Marketing team accesses WIX.COM.
- (d) The statement on PAYLIANCE and MERCHE SOLUTIONS. Please instruct me on what is supposed to be done. I am unaware of any order issued against me intending to train Mr. Benko.
9. I am fully cooperative following the order issued. I have spent around 45 hours organizing & preparing requested documents since May 29th. I have also shared them with the PLAINTIFF. I am fully interested in Mr. Benko's success as at least 33.4% shareholder of the whole group.

10. I am taking all reasonable steps and trying to make the takeover for Mr. Benko easier. I am unaware of his experience in managing debt-collection companies with a litigation arm as a whole and local compliance and business practices in the USA in particular. I want the court to examine that, if possible. The statement of not taking all the reasonable steps is simply not true. I have shared multiple documents with the PLAINTIFF.
11. I have created access to PLAINTIFF to access ZENEFITS and shared login. This is the only platform we were using to access employees' information. To pay salaries, we used QUICKBOOKS (Figure 3). I do not have access to QUICKBOOKS anymore. ZENEFITS need to be paid (as seen in Figure 2).

Figure 3: Zenefits current status

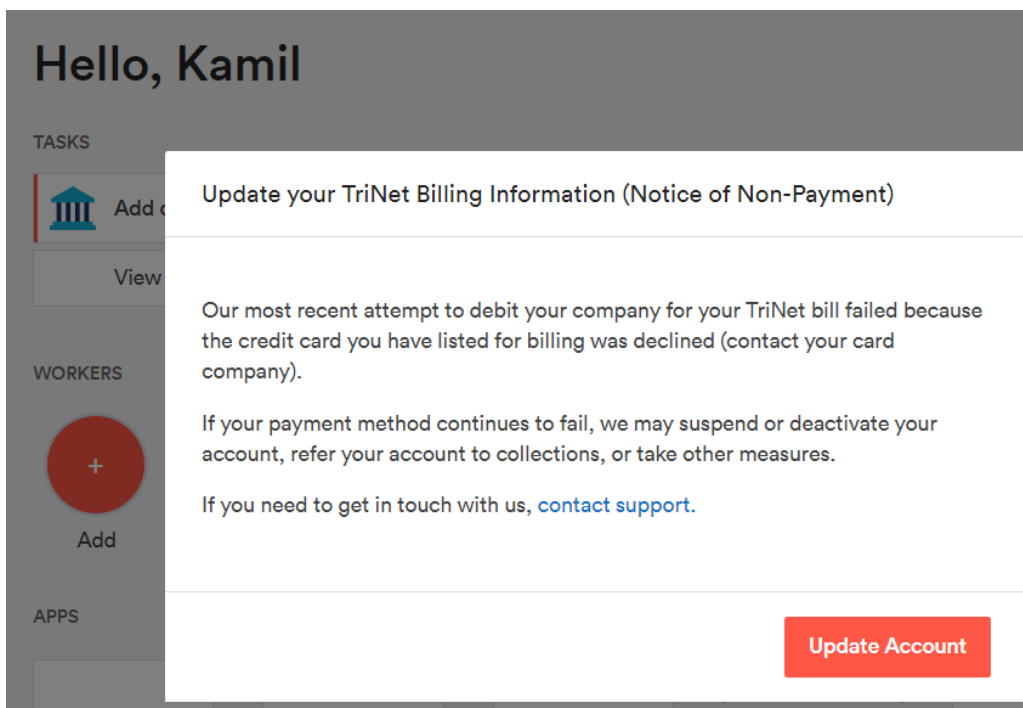
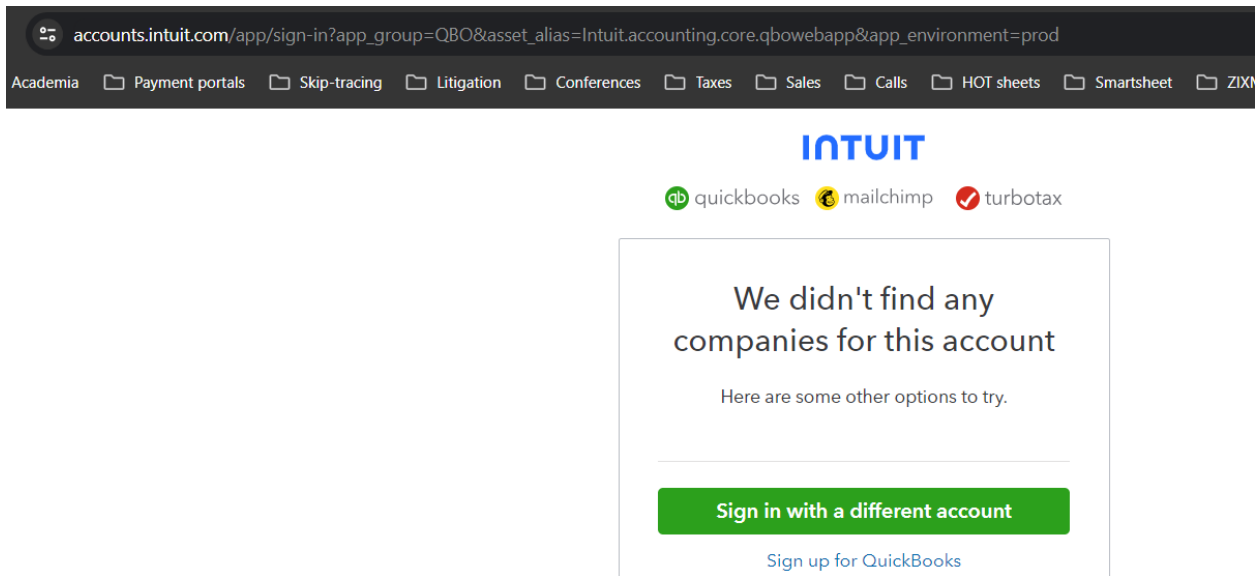


Figure 4: Quickbooks -> I have no access anymore

12. I am unaware of the circumstances that led to the website being "taken down" as the plaintiff puts it. I had absolutely nothing to do with this.
13. I have prepared those folders before I upload documents. I wanted the information provided to be 100% complete. Folders being empty only means that I have not found the documents yet. Some of the documents did stay in the office or are on the computer I have in the office on my table / in the locked cupboard.
14. I do not have a list of the company's bank accounts without accessing the bank. The usual practice is to have multiple accounts for multiple cost centers/revenue streams to restrict the budget. By accessing the accounts, as confirmed by Mr Benko, he is supposed to have that information.
15. All payroll information has been provided. When I was initially locked out of the EPA building, employees were contacting me regarding their imminent paychecks. A list of these employees was forwarded to plaintiffs' counsel by my counsel, based on my understanding. There has been an issue with Zenefits at this time based on my belief, which houses all employee payroll information. This is addressed in my point 21 herein.
16. PLAINTIFF confirmed they have access to EAST WEST BANK, thus deleting many previous statements. I am not aware of any other bank accounts held for EPA USA Inc.
17. XOOM - I had provided this list from a previous backup I obtained a few days before my access was canceled.

18. In response to Martin Benko's declaration, I state the following: BMO Harris account has been closed for 2 years with all accounts. This was uploaded and made clear on 5.29.24. Paypal, Wise, and Xoom are seldom used accounts that I do not have access to and do not possess the login credentials for.
19. I provided the operating bank account information for Mercury and SVB right away. On 6.11.24, after learning from my attorney that the plaintiffs still couldn't start operating EPA USA Inc., I completed additional uploads to the portal.
20. CUTX contract has also been uploaded to the portal with all the updates. There are changes in the contract that were agreed in the last few weeks. Me not providing any agreements is just false. In the office are copies of the agreements, which I have uploaded.
21. ZENEFITS is not paid. I have created the account, as mentioned. The account needs a working US phone number to receive text messages.
22. All information is in QUICKBOOS and ZENEFITS. I do not store it on my computer, as it is non-compliant. PLAINTIFF confirmed we have taken additional steps. We need PLANTIFF to start to pay for the ZENEFIT and other services.
23. My access to QUICKBOOKS is restricted; I did provide the screenshot. May PLAINTIFF confirm why this is the case.
24. California Franchise Tax -> Plaintiff was informed that it was a part of the negotiation with California Authority to issue a debt collection license. Kamil Knap never had any access to pay California Franchise Tax, and I did share with PLAINTIFF a question about whether they want to call there and ask for it.
25. I was not present during Mr Benko's visit to the office and therefore can not confirm or deny the inaccessibility of the computers. I have not stored any passwords with me.
26. May PLAINTIFF confirm what makes him state that the provided information is useless. What kind of experience or ability did he have to state it, and if I could review his statements.
27. As I repeatedly confirmed, I am working in the company's best interest and in accordance with court order. I have no capacity to pay for any forensic or other examination of devices. Many of the devices I have used are not in my possession anymore. Some of the devices contain information that is not connected to EPA USA Inc.; therefore, I can not provide it. I will break international and US laws.
28. I have no capacity to pay for attorney fees especially even the whole case has not been heard.

29. The amount of information that is required of me is substantial, and understandably so. However, it requires detailed searches for certain documents, such as login credentials for each and every computer in the company, which are not centrally stored. Employees are remote, in other countries, and it would be nearly impossible for me to supply their own personal login credentials.
30. After the entry of the temporary restraining order, I was immediately restricted from my employment. I complied knowing how important the Order was, and I stopped going to the EPA building and began the process of unwinding my involvement with EPA USA Inc.
31. I have invested 45 hours trying to obtain all of the information, but some of it I could not find or did not have control over unfortunately. Moreover, my upload on 6.11 appears to have failed, as many of the folders had zero files in them. This was brought to my attention and I have re-uploaded them.
32. I never intended to cause trouble throughout this process. The last thing I want to do is violate a Court Order that could result in severe financial penalties to me and jail time. That is certainly not my intention. I am committed to continuing to cooperate with the plaintiffs to make sure this transition is accomplished without any loss of revenue to the company.

The requested list and my notes:

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|---|
| <p>2.1. All EPA USA property, including all records, documents, files, forms, proprietary information, bank records, accounting documentation, and other information concerning EPA USA;
-> KK -> I did upload what I had; some of it is in the office or with the accountant or in Internet banking</p> <p>2.2. All EPA USA passwords, including all passwords, logins, access codes, and other information used to access or use any systems, equipment, software, accounts, or website domains that were established for or on behalf of EPA USA;
-> KK -> passwords I had I did upload; team members used some of them were used by team members. Some of them do not work, as the service was not paid recently.</p> <p>2.3. All EPA USA corporate filings;
-> KK -> provided</p> <p>2.4. EPA USA's Articles of Incorporation, including any amendments to or restatements;
-> KK -> provided</p> <p>2.5. EPA USA's Bylaws, including any amendments to or restatements;
-> KK -> provided</p> <p>2.6. All minutes of EPA USA's meetings;
-> KK -> provided</p> <p>2.7. All resolutions and written consents of the shareholders or directors of EPA USA;
-> KK -> provided, some of them are in the office as I did not keep all the originals</p> <p>2.8. All EPA USA agreements, including powers of attorney, engagement agreements with law firms, employment or independent contractor</p> |
|---|

agreements, nondisclosure agreements, or any other written agreements, including any amendments to or restatements;

-> KK -> provided + some of them are in the office

2.9. EPA USA's federal, state, and local tax information and tax returns for 2019-present;

-> KK -> provided

2.10. All financial statements of EPA USA, including the balance sheets and profit and loss statements, from EPA USA's formation to the present in a form and manner that fairly and accurately present the assets, liabilities, and financial position of EPA USA;

-> KK -> provided

2.11. The general ledgers of EPA USA, as of a recent date, in a form and manner that fairly and accurately presents the assets, liabilities, and financial position of EPA USA;

-> KK -> provided + some of them in accounting I have no access to

2.12. All evidence of any EPA USA indebtedness, including but not limited to any document, instrument, or communication that evidences or contemplates (i) the loaning or borrowing of any funds, (ii) all leases (real property, vehicles or otherwise), or (iii) capitalized leases on behalf of, or for the benefit of, EPA USA;

-> KK -> All is in accounting, I have no access to. Some of the documents are in the office.

2.13. All of EPA USA's insurance policies, including, but not limited to, any casualty insurance policies;

-> KK -> provided

2.14. All debt portfolios purchased with EPA USA funds or in EPA USA's name, including but not limited to the debt portfolios identified in Mr. Knap's May 7, 2024 Affidavit paragraph 15;

-> KK -> provided

2.15. All receipts reflecting anything purchased with EPA USA funds or in EPA USA's name;

-> KK -> provided

2.16. All employee files and records;

-> KK -> provided + in the office

2.17. All payroll records;

-> KK -> provided + in the office

2.18. All phone number and phone line provider records;

-> KK -> provided + with R2P IT department

2.19. All website hosting records;

-> KK -> service is not paid, I can not do anything (renewal was due in end of May)

2.20. All emails to and from EPA USA email accounts, from 2019 to present;

-> KK -> I did upload all the email copies of previous employees I did keep

2.21. Records of all third-party service providers for EPA USA;

-> KK -> provided

2.22. Records of all "freelance" operators, technology consultants, forensic consultants, and the like used by EPA USA;

-> KK -> provided

2.23. Records of VPN accounts or purchases;

-> KK -> provided + with IT department of R2P

2.24. All business contact information and lists; and

-> KK -> in the office are business cards

2.25. All debt-collecting licenses, applications for debt-collecting licenses, notices

relating to debt-collecting licenses, and information required to obtain or renew debt-collecting licenses

-> KK -> provided + uploaded.

- 3.1. Identify all EPA USA, Inc. bank accounts, past and present, including bank name, account number, and all other necessary identifying information;
-> EastWest, Mercury, SVB Bank, BMO Harris, Wise, XOOM. I do not have access to them anymore.
- 3.2. Administrative login credentials for all EPA USA computers;
-> all is in the office, usually password is EPAUSA2020 or EPAUSA2024 or EPAUSA2025 with small or big letters
- 3.3. Administrative login credentials for all EPA USA accounts of any kind;
-> please let me know which one are you missing, some of them need US phone number and email
- 3.4. Administrative login credentials for EPA USA's website and email servers;
-> the service on wix need to be paid, my access does not work
- 3.5. Identify all debt portfolios purchased with EPA USA funds or in EPA USA's name;
-> done
- 3.6. Identify all furniture, fixtures, equipment, and inventory held by EPA USA;
-> I do not have access to accounting now
- 3.7. Identify all past and current employees, including their contact information;
-> ZENEFITS
- 3.8. Identify all independent contractors retained since 2019, including their contact information; and
-> Done + UpWork
- 3.9. Identify all phone number/phone line providers and account information.
-> IT department of R2P has the access + uploaded

I signed this Declaration on June 25, 2024.

/Kamil Knap/
Kamil Knap